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July 7, 2025

BY ECF

The Honorable Philip M. Halpern
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4115

The Court will hold an in-person conference concerning Plaintiff's letter motion (Doc. 29) on July 22, 2025 at 2:30 p.m. in the White Plains Courthouse in a courtroom to be determined.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
July 11, 2025

Re: Gonzalez v. Baxter Property Management Corp. et al.; No. 7:24-cv-07746-PMH

Dear Judge Halpern:

We represent Plaintiff Rosaura Gonzalez and write to request that the Court enforce its June 9, 2025 discovery Order (ECF No. 25) and impose sanctions under Federal Rule of Civil Procedure 37(b) for Defendants' non-compliance. Before seeking the Court's intervention, we conferred with defense counsel by telephone on July 1, 2025, in a good faith effort to resolve this dispute without court intervention. Defendants were unwilling, however, to provide a firm date for compliance with their overdue obligations under the Court's Order.

As background, Plaintiff served her first set of document requests on January 15, 2025. Following a deficiency letter and meet and confer, Plaintiff raised Defendants' refusal to produce responsive documents to the Court in a May 15 joint letter (ECF No. 22). On June 9, 2025, the Court ordered "Defendants to produce, within two weeks [by June 23, 2025], documents responsive to [Plaintiff's Requests Nos. 10, 13, 16-19, and 21] ... or to inform Plaintiff by written letter that no responsive documents exist," and to "meet and confer regarding a prompt production of ESI to Plaintiff" (ECF No. 25 ¶¶ 3, 5-7).

Four weeks have passed, yet Defendants have neither produced documents nor confirmed that none exist, sought an extension, or otherwise acknowledged the Order. On July 1, counsel again met and conferred regarding the Court-ordered discovery. Defense counsel cited unspecified ESI vendor issues, estimated that the ESI production would take several more weeks, and again refused to commit to a deadline. This continuing disregard of the Court's Order has stalled discovery, preventing Plaintiff from moving forward with depositions and meeting the already-extended August 22, 2025 discovery deadline.

Plaintiff respectfully asks the Court to enforce its June 9, 2025 Order by directing Defendants to produce all responsive documents, including ESI, within three business days, or another date certain the Court deems appropriate, and awarding Plaintiff the reasonable attorneys' fees incurred in bringing this motion under Fed. R. Civ. P. 37(b)(2)(C).

Respectfully submitted,

/s/ Alex Rissmiller

Alex Rissmiller

/s/ Jazly Liriano

Jazly Liriano

cc: Counsel of record (via ECF)